
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOHN TRAVIS HART

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 1:17-CR-16-DAK

Judge Dale A. Kimball

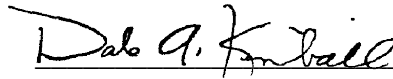
This matter is before the court on Defendant's Second Motion for Reconsideration re Amended Memorandum Decision and Order Denying Defendant's First Step Act Motion for Compassionate Release, 18 U.S.C. § 3582(c)(1)(A) [ECF No. 43]. Defendant requests that the court release him from custody due to medical and family issues. On August 22, 2017, this court sentenced Defendant to 144 months incarceration with the Bureau of Prisons ("BOP"), and on August 29, 2023, this court denied Defendant's Motion for Compassionate Release [ECF No. 40]. On September 25, 2023, this court denied Defendant's Motion for Reconsideration re Amended Memorandum Decision and Order Denying Defendant's First Step Act Motion for Compassionate Release [ECF No. 42].

The First Step Act modified 18 U.S.C. § 3582(c)(1)(A) to allow a federal prisoner to file a motion with the court to reduce the defendant's term of imprisonment after the defendant has exhausted administrative remedies with the BOP. Defendant has not exhausted his administrative remedies as required in the First Step Act. If and when Defendant can demonstrate that he has filed an appeal pursuant to Program Statement 1330.18, Defendant can bring a new motion in this court. Accordingly, Defendant's Second Motion for Reconsideration re Amended

Memorandum Decision and Order Denying Defendant's First Step Act Motion for
Compassionate Release, 18 U.S.C. § 3582(c)(1)(A) [ECF No. 43] is DENIED.

Dated this 10th day of October 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge